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A Step towards a National Code of Christianised Law

administered by Christian Men
united as a Christian Family

all the Families of the Earth shall be blessed

Disciple all the Nations and be joined
with you always.

The Kingdom of God - shall be given to
a nation bringing forth the fruit thereof.

Τὸ εὐαγγέλιον τοῦ βασιλείου τοῦ οὐρανοῦ πληροῦται

ἐν ὑμῖν ὡς ἐν τῇ ἐκκλησίᾳ τοῦ οὐρανοῦ

אִם יוֹלֵד גּוֹי פֶּעַם אֶחָד

כִּכְלוֹת נֶפֶץ יָד עִם קֹדֶשׁ
הַכֹּלִיָּה כָּל אֱלֹהִים

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TO ALL THE

Statute or Tynwald Laws

OF THE

ISLE OF MAN:

BEING A COMBINATION OF THE SEPARATE INDEXES TO THE VOLUMES EDITED
BY MESSRS. BURMAN, GELL, JEFFCOTT, AND GENESTE, WITH A NEW INDEX TO
THAT OF MR. MILLS, BY A. W. ADAMS, CROWN SOLICITOR; TOGETHER
WITH AN ABSTRACT BY MR. BURMAN, SECRETARY TO THE GOVERNOR
AND COUNCIL, OF ALL THE RECENT ACTS OF TYNWALD, AND
A TABLE OF THE DATES OF ALL THE STATUTE LAWS
OF THE ISLAND.

BY

REV. WILLIAM MACKENZIE,

Annotator on "The Stanley Legislation of Man."

DOUGLAS:

W. KNEALE, DUKE STREET.

1861.

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to

HIS EXCELLENCY FRANCIS PIGOTT,

Lieutenant Governor,

and

Chancellor

of the

Isle of Man.

PREFACE.

It is "the desire of all nations" that Laws be known, good, administered, and obeyed. Laws must be known, not by a limited professional class only, but by the general public, before the Christian conscience of nations can examine their goodness, provide right administration, and secure to them universal observance. To aid in making their Laws fully known to one small nation in the British Isles, "a collection of families, in the same country, under their own government," is the aim of the present volume.

The Statute Laws of the Isle of Man began to be written for the meetings of all the Commons of Man A. D. 1414—1480, and have been promulgated from the Tynwald Hill under the sanction of the British Crown down to this day. They have all been edited in five volumes, except those enacted since 1848; and of them an abstract, drawn up by Mr. Burman, Secretary to His Excellency the Lieut.-Governor and the Council, is appended to this work. The editors, Messrs. Mills, Geneste, Jeffcott, Gell, and Burman, members of the Manx Bar, have appended to each of their volumes a separate index. That to Mr. Mills' volume being brief and imperfect, the present Crown Solicitor, Mr. Adams, having made an index for his own purposes, has allowed the editor to make use of the manuscript. These five separate indexes are united in this volume, along with the abstract of the recent inedited Acts of Tynwald, so as to give a Key to all the Statute Laws of the Island from their beginning to the present day. The work of the present editor consists in concentrating the professional labours of these first-class Manx advocates; and he ventures to think that the result is honourable and useful to the profession and to the Island.

The peculiar unity of Church and State in this Island, and the ancient prerogative of its kings to be "Metropolitan and Chief of Holy Church," have made the civil and ecclesiastical Statutes to flow from one national authority, and to be comprehended in the same volume.

The historical occasion for the writing of the Manx Laws at first was the contest for supremacy between the priesthood of Rome and the insular authorities. A result of that early contest was to give predominance in this island to the native laws and to their judicial and regal administrators. Our age demands a revision of old laws in the light of conscience, reason, Scripture, and experience, not for the predominance of a class, but for the welfare of all. The peaceful victory of law in this island previous to the invention of printing and to the Reformation has laid a foundation for wise and safe revisal of national laws and institutions, in accordance with existing necessities, and in preparation for coming changes; and assuredly the best way to secure the distinctive privileges of this Island, is to remove betimes from its laws and institutions all that is contrary to equity and inconsistent with national duty and welfare. This comprehensive Index may facilitate such a revision. The Isle of Man having an autonomy separate from the imperial Parliament, may safely pioneer the path of progress, by originating legislative improvements rather than by slavishly following its imperial neighbour, and may thus fill a place of honour and usefulness, proper to its central position and ancestral dignity, but out of all proportion to its limited size and population.

If the Committee of Legislature, appointed at the commencement of Governor Hope's term of rule, were revived, with instructions and powers, improved by experience, and if they had authority to mark out the statutes that are obsolete, useless, or already abrogated, and to propose new and expedient enactments, the way would be prepared for a uniform publication of all the Statute Laws of the Island, with such additions and improvements as would place it in advance of every other code in the British Empire.

This united Index to the Statute Laws of Man, is not an unprofessional work, although its contents are not exclusively civil, nor

its editor a lawyer. Each component part has a stamp of authority from the Manx Bar. The whole is related to pulpit as well as to market, bench, legislature, and crown, and is a step, however short, towards attainment of the loftiest Christian ideal. The predicted union of mankind under the sceptre of justice, gives assurance that their laws shall be known to each nation, and shall be rectified up to the standard of God and man—of conscience and revelation. To that eminence afar, the British Isle which can constitutionally ascend alone, ought through light and right to aspire. It is now nearly five hundred years since England, under influence sacerdotal and Lollard-burning, had recklessly invaded France; but ere the laurels of Agincourt were all torn from her child-guided hands by the Maid of Orleans, the Manx nation, led by their King, a follower of Wycliffe, assembled mid the darkness—a morning star of the Reformation—put down Papal sanctuaries, set up the anti-sacerdotal “Laws of the Land of Man,” and in the very centre of the British Isles supplanted the Papacy, now under the wheel of European revolution, but then at the height of the world’s supremacy. “The thing that hath been,” saith the Preacher, “it is that which shall be, and there is nothing new under the sun.” Who is there now to forbid descendants and representatives of “all the Commons of Man” to revive their arrested work, by using peculiar privileges inherited from ancestry so distinguished, in order to bring institutions and laws at the heart of the British Isles into conformity with the standard, Catholic and Divine, of domestic and national Christianity? This book attempts to remove an obstacle that has impeded progress in that direction:—

Pass through, pass through the gates;
Clear the way for the people!
Level, level the road;
Gather out the stones;
Lift up a standard on the side of the peoples!

ISAIAH lxiii, 10.

5th March, 1861.

Strathallan Villa, Isle of Man.

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ABSTRACT

OF

ACTS OF TYNWALD,

Promulgated between the 5th July, 1854, and 19th November, 1860, both inclusive.

AN ACT to authorise the Vicar of the Parish of Patrick to alienate a portion of the Parochial Glebe, and for other purposes. (*Promulgated 5th July, 1854.*)

The Vicar may alienate a portion of the glebe for a school and master's house, which, with the site of the present parochial school and premises shall vest in the vicar and wardens as trustees.....	Sec. 1
Such new school, &c., shall be the parochial school, and shall be subject to inspection by Her Majesty's Inspectors of Schools	2

AN ACT to confirm certain Agreements entered into by the Right Honourable Lord Auckland, the late Lord Bishop of Sodor and Man, with William Trainer, for the Surrender of his Lease of certain Houses, Lands, and Premises, part of the Glebe belonging to the said Bishoprick; and with George Todd, for a Lease of the said Houses, Lands, and Premises, and for the future leasing of the Bishop's Glebe Lands. (*Promulgated 5th July, 1855.*)

Bishop empowered to execute a lease to George Todd, in terms of an agreement dated 26th August, 1852.....	1
The bishop may hereafter grant leases of the glebe lands of the bishoprick, with certain reservations, and subject to conditions to be approved by the Tynwald Court.....	2

AN ACT to make Provision for the Repairs and Improvements of Bishop's Court, and the Offices and Premises thereunto belonging, the Residence of the Bishops of Sodor and Man. (*Promulgated 5th July, 1855.*)

Bishop to submit to the lieut.-governor an account of moneys expended, and plans and estimates of the proposed improvements. Governor to grant a certificate as to his approval of plans, &c. and stating what sum ought to be raised not exceeding £2,000.....	1
Bishop authorised to raise the amount so certified on security of the glebe, &c.—principal, interest, and charges to be paid off in 30 years.....	2
Interest on the mortgage to be paid yearly, 1-30th of principal to be paid off yearly, unless all that remains due be paid at one time. Any amount suffered to be in arrear shall not remain a charge on the rents, issues, and profits of the glebe	3
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AN ACT for authorising an Exchange of certain Glebe Lands belonging to the Parish-Clerk of Rushen for other Lands in such Parish. (Promulgated 5th July, 1855.)

On the churchwardens of Rushen receiving a conveyance of a certain parcel of land, part of Ballakillee, they, with the parish-clerk, are authorised to convey in exchange the present clerk's glebe	1
On completion of the exchange, the said parcel of land, &c., shall be deemed the clerk's glebe lands, &c., and shall become freehold, and the fines, services, &c., chargeable thereon be transferred to the old glebe.....	2
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AN ACT to abate the Nuisance arising from Smoke from Furnaces and Manufactories in and near to the Towns of this Island. (Promulgated 5th July, 1856.)

Furnaces in mills, factories, &c., to be constructed to burn their own smoke, if within two miles of any town	1
Furnaces subject to inspection	2

AN ACT for supplying with Water the Town of Castletown. (Promulgated 6th July, 1857.)

	Sec.
Incorporation of "The Castletown Waterworks Company"	1
Act to be cited as "The Castletown Waterworks Act"	2
The Joint-stock Companies Clauses Act, save as to gas companies, incorporated with this act	3
Capital of the company to be £2,100 in shares of £5, which the directors may increase to £2,500 if found necessary	4
Capital may be further increased by issue of new shares	5
Company may borrow any sum not exceeding £1,000	6
Meetings shall be held in Castletown	7
General Meetings	8
Company empowered to divert and use the stream flowing through Ballacarine in Arbory to the sea	9
Determining and payment of compensation to persons having right or interest in such stream	10

AN ACT for Lighting the Town of Castletown with Gas. (Promulgated 6th July, 1857.)

Incorporation of "The Castletown Gas Light Company"	1
Act to be cited as "The Castletown Gas Act"	2
Joint-stock Companies Clauses Act, save as to water companies, incorporated with this act	3
Capital of the company to be £2,000 in shares of £5	4
Capital may be increased by the issue of new shares	5
Company may borrow any sum not exceeding £1,500	6
Meetings shall be held in Castletown	7
General meetings	8

AN ACT for Lighting the Town of Peel with Gas. (Promulgated 6th July, 1857.)

Incorporation of "The Peel Gas Light Company"	1
Act to be cited as "The Peel Gas Act"	2
Joint-stock Companies Clauses Act, save as to water companies, incorporated with this act	3
Capital of the company to be £1,500 in shares of £5	4
Capital may be increased by the issue of new shares	5
Company may borrow any sum not exceeding £1,000	6
Meetings shall be held in Peel	7
General Meetings	8

AN ACT to provide for the Better Regulation of Taverns and Tavern Keepers, and for other purposes. (Promulgated on the 6th July, 1857.)

Act of Tynwald, 1830, so far as relates to the retail of wine, &c., repealed. No person shall retail wine, spirits, ale, beer, porter, cider, or perry, without a licence from the governor	1
No licence to keep a tavern to be granted except on the certificate that the applicant is a fit person, and has entered in bond as required	2
Certificates to be granted at district courts	3
Accommodation required to qualify a house for a tavern	4
When votes of district court equal divided, president to have casting vote	5
Disqualification of parties to act in the execution of this act	6
Duty payable for public-house licences	7
Licences to be issued at the Rolls Office to extend from the 12th of May to the 12th of May following	8

	Sec
Written application for certificates to be lodged with the high bailiff 15 days before meeting of district court	9
On court refusing certificate, an applicant may petition the governor, who may grant the licence.....	10
Private licences.....	11
Persons who are disqualified to get private licences	12
Duties payable for private licences.....	13
Form of public-house licences	14
Within 15 days after obtaining licence, a sign to be on front of public-house.....	15
Governor may continue or grant fresh licences in certain cases.....	16
Penalty on lending out a licence.....	17
Grocers, drapers, hucksters keeping a shop not to obtain public house licences.....	18
Penalty against retailing wine, &c., without a licence.....	19
Persons licenced not to sell on Sundays, Christmas Day, Good Friday, or public fast days. Hours for keeping open public-houses—hours limited for private licences..	20
When persons convicted of felony, &c., governor may cancel licences	21
Power of inspection of public-houses and premises of parties holding private licences..	22
Persons licenced may sell at fairs within hours limited	23
Appropriation of duties paid for licences	24
Penalties, how recoverable	25
Appeal from deemster or justices to staff of government	26
Fines, how applied	27
Forgery of licences, &c., to be held to be felony and forgery	28
Continuation of licences granted before promulgation of this act.....	29
Limitation in recovery of tipping debts	30
Interpretation clause	31

AN ACT for the more speedy Detection of Receivers of Stolen Sheep in the Isle of Man. (Promulgated 6th July, 1857.)

Cause of suspicion being proved on oath, a high bailiff or justice may issue a search-warrant for carcase of sheep in possession of the party suspected.....	1
If carcase be found, party to be brought before high bailiff or justice, and committed until he find bail	
Proceeding as in case of misdemeanor	
Party to satisfy court that he came lawfully by the carcase, otherwise he shall be held guilty of a misdemeanor	
Deemster may, if he see fit, commit the party to gaol on charge of felony	

AN ACT to provide additional Burial Ground for the Parish of Kirk Christ Lezayre, and to enable the Vicar and Wardens of the said Parish to pull down the present Parochial School-house; to appropriate a portion of the Glebe Lands of the Vicar of the said Parish, and to erect thereon a new and suitable Parochial School-house, Master's House, and Premises. (Promulgated 6th July, 1857.)

A parcel of ground purchased from Mrs. Susanna E. Farrant, with the site of the old parochial school-house, shall become part of the parochial burial ground	1
Regulations as to interment	2
Old school-house may be taken down, and a new school-house, &c., erected on a certain portion of the vicar's glebe	3
To carry out the act, an assessment authorized to the extent, and in the proportion of £2 10s. per quarterland	4

AN ACT for Lighting the Town of Ramsey with Gas. (Promulgated 6th July, 1857.)

Incorporation of the "Ramsey Gas Light Company".....	1
Act to be cited as "The Ramsey Gas Light Act"	2

	Sec.
Joint-stock Companies Clauses Act, except as to the provisions for water companies, and the 66th and 67th clauses, shall be incorporated with this act	3
Capital of company to be £4,000, in shares of £20	4
Capital may be increased by the issue of new shares	5
Company may borrow any sum not exceeding £2,000	6
Meetings to be held in Ramsey	7
General meetings of the company	8
Scale of voting	9
Mode of voting	10

AN ACT to provide additional Burial Ground for the Parish of Conchan. (Promulgated 27th July, 1857.)

When the land purchased be consecrated, it shall be deemed part of the parish church-yard	1
Vicar and wardens may make sale of graves to the extent of one-third part of such land	2
Expenses and purchase money of such land to be defrayed by a parochial assessment ..	3
Moneys received for the sale of graves to be applied in reduction of the annual assessments	4
Regulation respecting interments—fine in default	5
Act to be cited as "The Conchan Burial Ground Act"	6

AN ACT to amend and explain an Act intituled "An Act for the better regulating of Juries, and for the ease of Juries." (Promulgated 27th July, 1857.)

Preamble	
Demster to form special jury list of a sufficient number of persons for each sheading at his discretion, though not described as esquires, &c.	2
Jury of general gaol delivery to consist of twelve men from the special jury list of each sheading	3

AN ACT for enabling the Trustees of the respective Marriage Settlements of Sir Edmund Waller, Baronet, deceased, and Rebecca Lady Waller, his wife, and of the Reverend David Pitcairn and Mary Jane Pitcairn, his wife, to demise, lease, or sell the Trust Estates in the Isle of Man, and for other purposes. (Promulgated 30th March, 1859.)

Trustees authorised to make sales, &c., of lands of Ballalhergery and Ballakerbery for ever, for building, subject to a perpetual annual rent and other provisions, &c.	1
Trustees may make similar sales of the lands of Glencrutchery	2
Terms of each sale to be first approved by the Chancery Court	3
Application and distribution of the rents, &c., reserved by such sales	4
Trustees may make farming leases of Ballalhergery not to exceed 21 years	5
Similar powers as to lands of Glencrutchery, &c.	6
Provisions of the said settlements as to payment of costs, indemnity of trustees, purchasers, &c., shall apply to all proceedings under this act, and persons affected thereby	7
Lord's rights reserved	8
Interpretation clause	9
Act to be cited as "The Trustees of Waller and Pitcairn's Estates Act"	10

AN ACT to confer additional Powers on the Douglas Waterwork Company. (Promulgated 30th March, 1859.)

Company may divert and use a stream flowing from Kerroodhoo in Conchan to the sea.	1
Powers and conditions as to carrying out the works according to the plan and section deposited in the Rolls Office	2

	Sec.
Determining and payment of compensation to parties having right or interest in the stream, &c.....	3
Works to be completed within three years	4
Resolution of the company for increasing the capital confirmed	5
Capital may be increased by the issue of new shares	6
Payment of calls on new shares.....	7
Liability of shares to pay calls on 21 days' notice	8
Interest chargeable on calls not paid up	9
Interest allowed on sums paid in advance.....	10
Shareholders may be sued for the calls.....	11
Forfeiture of shares on non-payment of calls	12
Shares cannot be forfeited if proceedings be pending for recovery of calls on the same..	13
Power to borrow on mortgage or bond to the extent of £7,000.....	14
Power of reborrowing	15
Register of mortgages and bonds	16
Transfer of mortgages and bonds	17
Entry or memorial of transfers	18
Payment of interest on mortgages or bonds.....	19
Repayment of principal of mortgages or bonds	20
Notice for repayment of ditto	21
Interest to cease on expiration of time of notice	22
Account books of company open to the inspection of mortgagees or bond creditors	23
Shares in the company shall be personal estate	24
10th, 11th, 12th, 38th, 64th, 80th, and 117th clauses of the Joint-stock Companies Clauses Act, incorporated with this act	25
Company may retain a certain mill and premises purchased by them	26
Interpretation clause	27
Act to be cited as "The Douglas Waterwork Amendment Act, 1858"—the company's original act as "The Douglas Waterwork Act, 1834"	28

AN ACT to provide a uniform mode of Incorporating Societies for Charitable and other Purposes. (Promulgated 5th July, 1859.)

Five or more persons desirous of becoming incorporated for certain purposes specified to deliver a declaration in triplicate to the clerk of the rolls	1
One copy of declaration to be returned to applicants, one to the lieut.-governor's secretary, and one to be recorded in the Rolls Office	2
Formation of association to be advertised in newspapers three successive weeks	3
Completion of, and effect and powers of corporation	4
Subsisting societies not affected by this act, but may be brought under its operation....	5
Societies may extend their objects or amalgamate	6
Alteration and amendment of rules and bye laws.....	7
Dissolution or determination of societies	8
Minors may be members under certain regulations.....	9
Membership not a bar to suing or being sued	10
Members may give evidence in suits affecting the society	10
Service of writs, &c... ..	11
Disputes may be determined by a deemster; appeal to staff of government	12
Enforcement of orders; orders for specific performance to be accompanied by a penalty in case of non-compliance	13
Attendance of officers and production of documents may be ordered by a deemster	14
Members stealing the society's moneys, &c., subject to like punishment as non-members	15
Property to be held only for the purpose for which the society was organised.....	16
Names of members and abstract of accounts to be annually returned to governor to be submitted to Tynwald Court	17
Act not to extend to savings banks, trading associations, nor monastic institutions. Tynwald Court may dissolve societies carried on contrary to the intent of their declaration	18
Rights reserved.....	19

AN ACT for Supplying with Water the Town of Ramsey. (Promulgated 5th July, 1859.)

	Sec.
Incorporation of "The Ramsey Waterworks Company".....	1
Act to be cited as "The Ramsey Waterworks Act".....	2
Joint stock Companies Clauses Act, except as to provisions for gas companies, incorporated herewith	3
Capital of company shall be £2,000, in shares of £5	4
Capital may be increased by issue of new shares.....	5
Company may borrow any sum not exceeding £1,000	6
Meetings of the company to be held in Ramsey	7
General meetings	8
Company may divert a stream running through the estate of Ballure to the sea, make and maintain works according to a plan deposited in the Rolls Office, may make a road and have power of entry on the said lands	9
Compensation to be made to parties having right or interest in such stream or lands, to be determined as directed	10
Works to be completed within two years	11
For the purposes of this act, the town of Ramsey to be held to extend from the reservoir on the south to the windmill at Ballachrink on the north	12
Her Majesty's rights reserved.....	13

AN ACT to provide for the better Paving, Cleansing, and Lighting the Streets of the Town of Douglas; and for making and keeping in repair public Sewers therein, and otherwise improving the said town. (Promulgated 1st May, 1860.)

Boundaries of the town of Douglas	1
Governor to appoint valuers who shall value the property with the boundaries of the town	2
Appeal from valuation	3
Nine commissioners to be elected for the purposes of the act	4
Returning officer	5
Day, time, and place for election of the commissioners	6
Clerk of the Poll	7
Cost of valuation and election	8
One third of the commissioners to go out of office every year, and a similar number elected: those going out being eligible for re-election	9
Qualification of votes	10
Nomination of persons for commissioners, and proceeding at the election	11
Persons elected commissioners to signify their consent, if not, or in case they refuse or neglect to perform the duties of the office, they shall be subject to a penalty of £20, in case of refusal to act, the person with the next highest number of votes to be returned.....	12
On a vacancy happening the remaining commissioners to certify to the governor, who shall then issue his warrant for an election to fill the vacancy	13
Returning officer to have power to keep order, &c.	14
Persons voting in respect of property acquired fraudulently, for the entitling them to vote subject to a penalty or imprisonment	15
Power to commissioners to appoint officers and servants, and assign salaries.....	16
Penalty on officers being interested in contracts, or exacting fees, &c.....	17
Officers entrusted with money to give security for duly accounting for the same	18
Meetings of the commissioners	19
Majority of commissioners form a <i>quorum</i>	20
Commissioners to make an assessment, and levy a rate not to exceed one shilling per pound of annual value or rental.....	21
Particulars of assessment to be kept in a book	22
Appeal against assessment rate to be paid by the parties in actual possession of the property	23
Expenses of the first valuation	24

	Sec.
Rate may be amended or altered	25
Persons neglecting to pay rates may be sued	26
If property occupied by more than one person the rate may be levied from any one of the occupiers, or owners who may recover the proportion due by the others.....	27
Forfeiture in case of misapplication of moneys raised under this act	28
Surplus of assessment in any year to be applied the following year	29
Power of high bailiff as to paving and cleansing the streets to cease and vest in the commissioners, who are to have the management of the same with the public sewers, &c., and may form parapets, erect lamps, &c.....	30
Penalty against injuring the pavements, sewers, lamps, &c.	30
Where existing drains are insufficient the commissioners may order the surveyor to make new drains, &c.	31
Power for commissioners to repair, &c., all sewers vested in them, and from time to time construct new ones	32
Power of commissioners to order streets, &c., to be cleaned for the preservation of health	33
Commissioners may sell the sewerage and refuse of their sewers, and apply the proceeds to the purposes of the act	34
Cleansing of sewers	35
Scavenging, fire engines, &c.	36
No house to be built or re-built without proper drains to be regulated and approved by the commissioners	37
Drains, water-closets, &c., not to be constructed so as to be a nuisance or injurious to health	38
Surveyor may enter premises for examination.....	39
Power of commissioners to enter into contracts	40
Books of account to be kept, and to be open to inspection	41
Penalties, how recoverable	42
Payment to highroad committee in lieu of highroad labour	43
Rights of Her Majesty reserved.....	44
Interpretation clause	45

AN ACT to enable Incumbents of Glebe Lands to grant Leases. (Promulgated 1st May, 1860.)

Incumbents may grant leases of glebe lands not exceeding 15 years	1
If glebe is within a mile of the residence, no lease shall bind the incumbent's successor, which shall include the house, gardens, and eight acres in immediate proximity to the house	1
All leases shall be submitted to the Tynwald Court.....	1
Interpretation clause	2

AN ACT for the Incorporation of the Isle of Man Law Society. (Promulgated 5th July, 1860.)

Incorporation of the Isle of Man Law Society.....	1
Who shall be members of the corporation.....	2
Powers of corporation to be exercised by a committee	3
Names of first president, vice-president, and committee.....	4
Powers of committee	5
Meetings of committee.....	6
Power to make bye laws	7
General meetings.....	8
Chairman at general meetings	9
Service of process.....	10
No suit to be affected by reason of a member being a party individually.....	11
Chancellor to be visitor of corporation	12
Sum payable on admission to the bar under act of 1826, to be paid over for the purposes of the corporation.....	13

Sec.

AN ACT to amend an Act promulgated in the year one thousand eight hundred and fifty-five, intituled "An Act to make provision for the Repairs and Improvements of Bishop's Court, and the Offices and Premises thereunto belonging, the Residence of the Bishops of Sodor and Man." (Promulgated 10th August, 1860.)

On the lord bishop rendering an account of the expenditure under the former act, the governor may, on approval, authorise a further outlay not to exceed £1,000, which shall be a charge on the glebe, &c. 1
Such further sum shall be raised, secured, and paid off, subject to the same provisions as are contained in the former act 2

AN ACT to incorporate the Isle of Man Electric Telegraph Company, and to enable such company to make arrangements for the working of Telegraphs in the Isle of Man. (Promulgated 10th August, 1860.)

Incorporation of "The Isle of Man Electric Telegraph Company" 1
Act to be cited as "The Isle of Man Electric Telegraph Company's Act" 2
The Joint-stock Companies Clauses Act, except provisions as to gas and water companies, incorporated with this act 3
Capital of the company to be £5,500, in shares of £20 each, which may be increased under powers in this act 4
Capital may be increased by issue of new shares 5
Calls not to exceed £5 per share, at intervals of two months at least 6
Company may borrow any sum not exceeding £5,000 7
Directors, their number and qualification 8
Powers of company to lay pipes and wires in streets 9
Consent of Admiralty required before laying down wires, &c., below high water mark, placing buoys, or erecting sea marks 10
Consent of harbour commissioners required before laying wires, &c., in or over the harbours, public quays, wharfs, or landing places 11
If survey or examination of the company's works be ordered by the Admiralty, company to pay expenses 12
If such works, &c., of the company be abandoned or suffered to fall into disuse, the Admiralty or harbour commissioners may remove the same at the company's expense 13
Company may not purchase land, &c., or any rights in respect thereof belonging to Her Majesty without the consent of the commissioners of woods, &c. 14
Regulations as to breaking up streets, highways, &c. 15
Restoration of pavements, &c., and guarding from accidents by nights, &c. 16
Pavement, &c., may be restored (in case of delay) by the persons having the control of the streets, at the company's expense 17
Company may not alter or interfere with any water course, mains, gas or water pipes, &c., without the consent of the parties interested 18
Company may sell, let, &c., any part of their telegraph, or the right to use the same. 19
The use of company's telegraph, subject only to the prior use of Her Majesty, shall be available to all persons without favour or preference 20
On request of the Board of Trade or Admiralty, the company shall lay and work wires for the exclusive use of Her Majesty, the remuneration to be settled by agreement or arbitration 21
Messages on Her Majesty's service to have priority over all others 22
Remuneration for the use of the telegraph on Her Majesty's service to be settled by agreement or arbitration 23
Mode of arbitration, nomination of arbitrators, &c. 24 & 25
If deemed expedient for the public service, a secretary of state may cause possession to be taken of the telegraph for the exclusive use of Her Majesty 26
In such case, company to be compensated for each week by the same amount as they would have received during the ordinary working of the telegraph 26
Penalty for negligence or omission in forwarding, &c., messages, or divulging the purport thereof 27

Punishment for wilfully damaging or obstructing the working of the telegraph.....	Sec. 28
Company may recover damages for wilful or negligent injury to any of their works....	29
Place of business and corporate domicile of the company to be in Douglas	30
Company to have no power to interfere with private property without the consent, in writing, of the proprietor or occupier.....	31

AN ACT concerning Wrecks on the Coast of the Isle of Man. (Promulgated 10th August, 1860.)

Act to be cited as "The Wreck Act, 1860"	1
Interpretation clause	2
Inquiry and report to Board of Trade as to casualties to vessels	3
Powers of inspecting or other officer	4
Penalty for impeding inspecting or other officer	5
Formal investigation may be had before a high bailiff, who is to report	6
A person of nautical skill may be appointed as assessor with the high bailiff.....	7
Remuneration to high bailiff and assessor	8
Costs of formal investigation	9
High bailiff may require a master or mate to deliver up his certificate of competency, if his conduct be called in question during the investigation.....	10
Board of Trade to have general superintendence of wrecks, and to appoint receivers..	11
No person having Admiralty jurisdiction to interfere with wrecks, except as after mentioned.....	12
When vessel stranded or otherwise, receiver to give orders	13
Powers of receiver when acting for the preservation of any vessel, &c.	14
Receiver to take possession of cargo, &c., washed ashore or lost from any vessel	15
Powers of receiver to suppress plunders, &c.	16
Who may act in absence of receiver	17
Persons rendering assistance may pass over or deposit goods on adjoining lands.....	18
An owner or occupier of land obstructing such passing or deposit of goods, subject to penalty	19
Examination to be taken on oath by receiver or justices	20
Such examination to be admitted as <i>prima facie</i> evidence.....	21
Rules as to persons finding or taking wrecks	22
Receiver may obtain a search-warrant to discover secreted wreck, &c.	23
Receiver to post up description of wreck, &c., in Custom House, and send notice to Lloyd's, if the value exceeds £20	24
Receiver may make immediate sale of perishable goods &c.	25
Description of wreck, found within the headlands or on the shore, to be sent to commissioners of woods, &c.	26
Trial of questions as to unclaimed wreck	27
Fees and remuneration payable to receiver	28
Board of Trade to decide amount payable to receiver in case of dispute.....	29
Fees received by receiver shall form part of the Mercantile Marine Fund	30
Salvage to be paid to persons other than receivers	31
Salvage for preservation of life, payable in preference.....	32
Amount of salvage—how determined when disputed	33
When apportionment of salvage is disputed.....	34
Receiver may distribute salvage in such shares as he thinks fit	35
Receiver may detain vessels and goods until payment of salvage or security given, or process issued by competent court	36
Receiver may sell vessel, &c., for payment of salvage, after a certain time	37
Wreck to be delivered up to owner if claimed within one year, on payment of expenses, &c.	38
Wreck not claimed within a year to be sold, and proceeds paid to agent of woods, &c., of the receipt of Her Majesty's exchequer, according to circumstances	39
Court of Admiralty may decide on all claims relating to salvage	40
Compensation for injuries to ships or boats by persons riotously assembled	41
Penalty for removing wreck, impeding the saving of ship, secreting or obliterating marks on wreck.....	42

	Sec.
Punishment for taking wreck into foreign ports and selling the same.....	43
Remuneration to coastguard	44
In case of foreign ships wrecked on or near the coast of the Island, who is to act for owner	45
Regulations as to marine store dealers	46
Permit to cut up or unlay cables	47
Regulations as to cutting up cables	48
Anchors to be marked by manufacturers	49
No claim to be made for salvage services rendered by Her Majesty's vessels in respect of the ship or stores.....	50
Claims for salvage by commander or crew of Her Majesty's vessels to be tried only by consent of Admiralty	51
Recovery and application of penalties	52
Act of Tynwald as to wrecks, 1836, repealed.....	53

AN ACT to Provide an Asylum for Lunatics and Insane Persons. (Promulgated 13th November, 1860.)

The governor and a committee of the Tynwald Court to procure plans and estimates for the building of the asylum, and contract for the purchase of a site	1
Governor to appoint valuers to value the land and real estate throughout the island....	2
Book containing the valuation to be deposited with the clerk of the rolls, and for districts with the high bailiffs	2
Previous valuations of towns may be adopted as if made under this act	3
Form of valuation returns—owners to furnish plans if required	3
Valuation of property in towns	4
Valuers for the parishes to send notice to the setting quest, moars, and serjeants, who shall supply any information in their power as to boundaries, &c.....	5
Power of valuers to require attendance of persons and production of plans, papers, &c. }	6
Penalty for refusing to attend or supply information	
Power of entry to valuers.....	7
Plans made for tithe valuers, and other plans furnished to be deposited in the Rolls Office	8
Valuers to act according to the instructions of the governor	9
Decision of a majority of the parish valuers to be binding.....	10
Remuneration of valuers	11
Appeals from valuation	12
New or additional valuations	13
Rate for building the asylum	14
Additional rate, if first not sufficient to complete the building	15
Rate for first year's expense of the asylum	16
Asylum shall vest in the Tynwald Court	17
Appointment of managing committee	18
Number and duration of the committee.....	19
Opening of the asylum.....	20
Meetings of the committee and appointment of chairman.....	20
Superintendent to act as clerk to the committee	21
Vacancies in the committee.....	22
Rules of the asylum	23
Appointment of chaplain—divine service; appointment of medical officer, treasurer, and superintendent	24
Books and accounts to be kept by the superintendent.....	25
Treasurer's accounts.....	26
Auditing and publication of accounts	27
Periodical inspection of asylum by the committee	28
Annual report of the committee	29
Superintendent's list of patients.....	30
Criminal lunatics	31
Removal of pauper lunatics to the asylum	32
Removal to the asylum of other lunatics found at large, or cruelly treated by relatives, &c.	33
Remuneration of medical man for examinations, &c.	34

	Sec.
Penalties against constables for neglect of their duty as prescribed by this act	35
Admission of pauper lunatics	36
Nature of medical certificate required	37
By whom certificate can be signed	38
Discharge or leave of absence to patients	39
Discharge of pauper lunatics	40
Delivery of pauper lunatics to the care of friends	41
Discharge or removal of patients not paupers	42
Who are to sign order for discharge	43
No patient to be discharged if certified to be dangerous	43
Order or medical certificate may be amended	44
Power of detention of patients	45
Register of patients	46
Medical journal	47
Proceeding on death, discharge, or removal of patients	48
Application of patients' property to their maintenance	49
Ill treatment or neglect of patients by the officers of the asylum	50
Escape of patients through neglect or connivance of officers of the asylum	51
Injury of books, &c.	52
Parties to suits connected with the asylum	53
Annual rate for maintenance of the asylum	54
Mode of collecting rates	55
Collectors' accounts and returns	56
Recovery of rates	56
When collectors in default	57
Property exempt from assessment	58
Admission of other lunatics into the asylum	59
Application of bequests, &c.	60
Power of committee to receive bequests	61
Return of voluntary subscriptions formerly received for building an asylum	62
Offenders under this act—how to be proceeded against	63
Original committee to act until the committee of management are appointed	64
Felonies or misdemeanors against the moneys or property of the asylum	65
Recovery and application of penalties	66
Paupers, not natives, may be removed to their place of settlement	67
Existing laws as to beggars and vagrants not repealed	68
Interpretation clause	69

AN ACT to amend the Act to provide for the better Paving, Cleansing, and Lighting the Streets of the Town of Douglas, and for making and keeping in repair Public Sewers therein, and otherwise improving the said Town. (Promulgated 13th November, 1860.)

For the current year (1860) the assessment may be made within one month from the election of commissioners, or after the promulgation of this act	1
17th clause of the Douglas Town Act not to apply to commissioners interested merely as shareholders in gas or water companies	2
Recovery of penalties under said act	3
Commissioners may hire or purchase offices for their public business	4
The said act shall be cited as "The Douglas Town Act;" the present as "The Douglas Town Amendment Act"	5

AN ACT to enable the Trustees of Bishop Barrow's Charity to charge the Trust Property with a sum of money to Improve the Buildings of King William's College. (Promulgated 13th November, 1860.)

Trustees may apply the amount of a certain gift to build an addition to King William's College	1
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	Sec.
Interest on account of the same to be paid out of the funds of the charity.....	2
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the Isle of Man. (Promulgated 13th November, 1860.)*

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E. J. M.











